

REMARKS

Claims 1-17 are now in this Application, and are presented for the Examiner's consideration.

Power of Attorney and Change of Address

Enclosed is a Revocation and New Power of Attorney in which the applicant revokes all prior Powers of Attorney and appoints the undersigned as his new attorney of record. Also enclosed is a Form PTO/SB/122 - Change of Correspondence Address - Application. It is therefore requested that all future correspondence be sent to the undersigned at the address indicated below.

Request for Two Month Extension of Time

Applicant hereby requests that the period for responding to the Office Action mailed April 21, 2003, set to expire on July 21, 2003, be extended by TWO (2) months, so as to expire September 22, 2003 (MONDAY). Applicant is a small entity.

Please charge Deposit Account No. 07-1524 in the amount of \$205.00 to cover the requested two month extension.

Additional Claim Fee

Since there are now a total of 17 total claims and four independent claims, the Commissioner is authorized to charge the

additional fee of \$42.00 for the one independent claim in excess of three to Deposit Account No. 07-1524.

Rejection of Claims under 35 U.S.C. §112, second paragraph

Claims 1-14 were rejected under 35 U.S.C. §112, second paragraph as being indefinite.

As to "said interior cavity of said first lid section," the claims no longer refer to an interior cavity of the case body, but rather, refer to a first interior cavity of the base (first lid section) and a second interior cavity of the lid (second lid section). Since the base and lid are formed as tray type members with a backing wall and upright walls, an interior cavity is defined therein.

As to the language "tray shaped" in claim 2, this language has been deleted, and replaced with more definitive language that each of the base and lid have a backing wall and upstanding peripheral walls in surrounding relation to a periphery of the backing wall. In addition, in claims 6, 8 and 12, "bottom" has been changed to "backing wall" and this language has been used in other claims.

Finally, the term "lens sheet" has been changed to "transparent member."

Accordingly, it is respectfully submitted that the rejection of claims 1-14 under 35 U.S.C. §112, second paragraph, has been overcome.

Allowable Claims

Claims 10, 11 and 13 were indicated as being allowable if rewritten in independent form.

In this regard, new claims 15-17 have been added which generally correspond to claims 10, 11 and 13 written in independent form. In addition, the changes made above in regard to the rejection under 35 U.S.C. §112 have been made to claims 15-17, and all "means" terms have been deleted.

It is therefore submitted that claims 15-17 are now in condition for allowance.

Prior Art Rejections

Before discussing the specific rejections, it will be appreciated that the present invention is a combination jewelry (or other item) display and storage box, and when this function has been completed, for example, upon selling the jewelry, the case can be transformed into a picture frame for displaying two pictures. This is the essence of the present invention.

In this regard, the title of the invention has been changed to COMBINATION DISPLAY AND STORAGE BOX AND PICTURE FRAME.

In addition, the preambles of the claims have been amended in like manner.

To emphasize this aspect of the present invention, the rejected independent claims have been further amended to recite a

pad removably insertable within the base for holding an item for display when the lid is opened relative to the base and for holding the item for storage when the lid is closed relative to the base. This is in addition to the recitation of a hold down arrangement for removably holding a picture within the base so as to display the picture when a) the pad has been removed, b) the lid is opened relative to the base and c) the hinge is oriented along a vertical axis.

With this in mind, a discussion of the specific prior art rejections will now be provided.

Claims 1-3 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 1,579,573 to Stuckey.

Stuckey merely discloses a picture frame which, when closed, has an outer appearance of a book. There is no arrangement for removably holding a pad to display an item mounted on the pad when the book is opened. Rather, in Stuckey, the book is either closed, as in Fig. 1, to simulate a book, or completely open 180° and held upright to display pictures as a picture frame, as shown in Fig. 2. Thus, Stuckey provides no disclosure or even a remote suggestion therein for rendering the easel as a display and storage box, for example, for jewelry.

It will be appreciated that the present invention provides a display and storage box for jewelry, and after the jewelry is sold, the box is converted to a picture frame by removing the jewelry holding pad, inserting a picture therein and re-orienting the box. This aspect is not taught or suggested at all by

Stuckey.

In order to make this distinction clearer, claim 1 has been amended to recite in the preamble, "a combination display and storage box and picture frame."

Further, rather than reciting first and second lid sections, these sections have been recited as a base and lid. A base conventionally sits on a surface, and therefore, the different orientation from a picture frame is indicated.

Claim 1 further adds the recitation of a pad removably insertable within the base for holding an item thereon for display and sale when the lid is opened relative to the base and for holding the item for storage when the lid is closed relative to the base. This makes it clear that, in addition to the later recited hold down arrangement for removably holding a picture within the base to provide for the picture frame, the present invention is also provided as a jewelry (or other item) display and storage box.

As to the picture frame arrangement, claim 1 has been amended to recite a hold down arrangement for removably holding a picture within the base so as to display the picture when:

- a) the pad has been removed,
- b) the lid is opened relative to the base, and
- c) the hinge is oriented along a vertical axis.

Thus, claim 1 now makes it clear that there is an element (pad) for displaying jewelry (or other items) for sale removably mounted in the storage case, as well as an element (hold down arrangement) for the picture frame, in addition to the common

elements (base, lid, etc.) for both.

This combination is nowhere disclosed or even remotely suggested by Stuckey. In Stuckey, there is only a picture frame which can be closed to resemble a book. There is no disclosure or suggestion of using the same case to hold a removable pad to display an item for sale.

Accordingly, it is respectfully submitted that the rejection of claims 1-3 under 35 U.S.C. §102(b), has been overcome.

Claims 4 and 7 were rejected under 35 U.S.C. §103(a) as being obvious from Stuckey in view of official notice.

The remarks made above in regard to Stuckey are incorporated herein.

Since claims 4 and 7 depend from claim 1, it is respectfully submitted that, for the same reasons given above as to the rejection of claim 1, the rejection of claims 4 and 7 under 35 U.S.C. §103(a), has been overcome.

Claims 5, 6, 8, 9, 12 and 14 were rejected under 35 U.S.C. §103(a) as being obvious from Stuckey in view of U.S. Patent No. 6,293,038 to Chang.

The remarks made above in regard to Stuckey are incorporated herein.

Chang merely discloses a single picture frame, and therefore, fails to cure any of the aforementioned deficiencies of Stuckey. Therefore, Chang cannot be used to display an item such as jewelry for sale, and does not disclose or suggest a

removable pad for doing so. Therefore, for the same reasons given above as to claim 1, it is submitted that claims 5, 6, 8 and 9 which depend from claim 1, are also allowable.

Claim 12 has been amended in the same manner as discussed above in relation to claim 1, and therefore, the same comments apply. Therefore, for the same reasons given above as to claim 1, it is submitted that claim 12, and claim 14 which depends therefrom, are also allowable. In such case, the first and second interior frame borders constitute the hold down arrangement of claim 1.

Accordingly, it is respectfully submitted that the rejection of claims 5, 6, 8, 9, 12 and 14 under 35 U.S.C. §103(a), has been overcome.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 07-1524.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit

From: PATENT LAW OFFICE

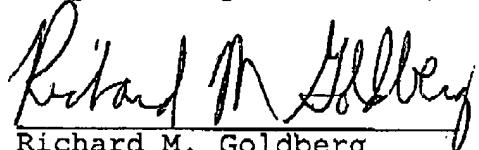
201 488 3884

09/22/2003 09:15 #080 P.021/023

Account No. 07-1524.

In view of the foregoing amendments and remarks, it is respectfully submitted that Claims 1-17 are allowable, and early and favorable consideration thereof is solicited.

Respectfully submitted,



Richard M. Goldberg
Attorney for Applicant
Registration No. 28,215

25 East Salem Street
Suite 419
Hackensack, New Jersey 07601
TEL (201) 343-7775
FAX (201) 488-3884

Enclosure: Revocation and New Power of Attorney
PTO/SB/122 - Change of Correspondence Address -
Application form